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EUR/NB COPENHAGEN, STOCKHOLM INFO FOR RSO AND LEGATT

E.O. 12958: DECL: 06/18/2019

TAGS: [ASEC](#) [KCRM](#) [PREL](#) [PTER](#) [NO](#)

SUBJECT: BHATTI RELEASED FROM PRISON

REF: OSLO 396

Classified By: Kevin Johnson, Reason 1.4(b) and (d)

11. (SBU) Summary. Norway's Appeals Court ruled June 19 to release Arfan Bhatti, ringleader of an alleged plot to attack the US Embassy in Oslo, pending his re-trial in August, 2009. Bhatti had been convicted of vandalism and attempted murder in February 2009 but Norway's Supreme Court June 12 overruled the attempted murder conviction. Bhatti is expected to leave custody today. An Embassy EAC reviewed the situation and determined our current security posture is adequate. End Summary.

12. (C) Norwegian MFA Legal Advisor Martin Sorby told POLCOUNS June 19 that the Supreme Court decided on the attempted murder charge that the requirement of intent was not correctly decided by the Appeals Court, and the case has been remanded on this charge alone to the Appeals Court for retrial. The Supreme Court also heard an appeal on the basis of the European Court of Human Rights requirements regarding juries, however contrary to press and embassy earlier reporting, the Supreme Court ruled that the February 2009 jury trial met EU requirements.

13. (C) In light of the release, Embassy Oslo held an EAC meeting but given the PST plans to monitor Bhatti, we determined that no change to our current security posture is needed. The guards, surveillance detection unit, and marines have been briefed on the situation.

14. (C) Comment: This case raises serious concerns about the content and application of Norway's anti-terror legislation. While Bhatti was not/not convicted of a terrorism offense, many see his long (and conditional) sentence for attempted murder as recognition that he is more than a petty criminal. This case goes to the heart of GON anti-terrorism policy and is obviously an important security matter. End Comment.
WHITNEY